

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

SEAN RENEAU,

Plaintiff,

v.

**SPUR 248 STEAK, LLC D/B/A STEAK N
SHAKE,**

Defendant.

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CIVIL ACTION NO. 6:16-CV-01126-RWS

**ORDER ADOPTING REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

The above entitled and numbered civil action was referred to United States Magistrate Judge John D. Love pursuant to 28 U.S.C. § 636. The Report and Recommendation of the Magistrate Judge (Docket No. 52) recommending denial of Plaintiff's Motion for Summary Judgment (Docket No. 46) has been presented for consideration. No objections to the Report and Recommendation were filed during the prescribed objection period.

The Court agrees with the Magistrate Judge that Defendant has identified record evidence that creates a genuine issue of material fact as to whether Defendant violated overtime-wage requirements. Accordingly, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct. Therefore, the Court **ADOPTS** the Report and Recommendation of the United States Magistrate Judge as the findings and conclusions of this Court. Plaintiff's Motion (Docket No. 46) is **DENIED**.

SIGNED this 4th day of December, 2017.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE